

Arkansas Code of 1987 Annotated Official Edition Court Rules 2011  
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\*\*\* CURRENT THROUGH THE 2011 REGULAR SESSION AND UPDATES \*\*\*  
\*\*\* FROM THE ARKANSAS CODE REVISION COMMISSION THROUGH \*\*\*  
\*\*\* JUNE 2, 2011 \*\*\*

Title 23 Public Utilities and Regulated Industries  
Subtitle 3. Insurance  
Chapter 78 Burial Associations

A.C.A. § 23-78-124 (2011)

**23-78-124. Revocation of certificate, license, charter, etc. -- Hearing.**

(a) Before revoking any certificate of authority or license granted under the provisions of this chapter or any charter or other authority granted to a burial association under any law effective prior to February 18, 1953, the Burial Association Board shall set the matter down for a hearing.

(b) At least twenty (20) days prior to the date set for the hearing, the board shall notify in writing the burial association or person holding a license of any charges made.

(c) The board shall afford the burial association or person an opportunity to be heard, at which hearing the association or person may be represented by counsel and shall be allowed oral testimony, affidavits, or depositions in reference thereto.

(d) (1) The board shall have power to subpoena and bring before it any person in this state or take the testimony by deposition of any person with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in courts of this state in civil cases. The fees and mileage shall be paid by the party at whose request the witness is subpoenaed.

(2) The board shall also have the power to order the production of any books, records, and documents at the hearing.

(e) (1) If the board determines that the burial association or person is guilty of violation of any provisions of this chapter, its or his or her certificate of authority, charter, license, or other authority shall be revoked.

(2) However, if the burial association or person gives notice of appeal from any adverse decision of the board as set forth in § 23-78-125, then the burial association or person may, at the discretion of the board, continue to operate during the pendency of the appeal.

(3) If the board chooses not to permit the association or person to operate during the pendency of the appeal, then the board shall appoint a person to conduct the business of the association or person until the appeal has been heard.

**HISTORY:** Acts 1953, No. 91, § 17; 1981, No. 360, § 4; A.S.A. 1947, § 66-1817.